and see what mechanism can be found in that direction. In regard to the question put by the honourable Member earlier and now repeated by Mr. Chatterjee, in regard to the total stoppage, whether we can stop it totally, I can only say, as I have said earlier, that only 5 per cent of the total availability of the Indian groundnut is exported in terms of HPS; there is still 95 per cent with us. Therefore, there will be no crisis insofar as edible oil production in the country is concerned, keeping in view the present drought.

SHRI JAGESH DESAI: My question is whether you will agree that from the foreign exchange that you are earning you will only import edible oil.

THE DEPUTY CHAIRMAN: That is enough. Please sit down. Now, Mr. Vaghela.

**श्री शंकर सिंह वाघेला :** उप सभापति महोदय, मैं इम्पोर्ट-एक्सपोर्ट की फिगर्ज की जगलेरी में नहीं जाना चाहता हूं । जहां तक एच० पी० एस० के उत्पादन का सम्बन्ध है यह देश के लिए इस साल सूखे के कारण सवाल ही नहीं उठता है फिर एक्सपोर्ट का तो प्रश्न पैदा नहीं होता है । अगर एक्सपोर्ट करने से किसान को ज्यादा लाभ मिलता है तो हम बीच में नहीं आते लेकिन जैसे कि श्री चटर्जी जी ने कहा कि एक्सपोर्ट करने वाले लोग पैसा कमा रहे हैं । कल ही मैं पार्लियामेंट हाउस ऐनेक्सी की सुपर बाजार शाखा में गया था मैने देखा कि वहां पर झगडा हो रहा था और भीड़ लगी हुई थी । पता चला कि वह झगड़ा पामोलीन के टीन के ऊपर हो रहा था । इसलिए इम्पोर्ट एक्सपोट की फिगर्ज की जगलेरी में न जाते हुए मैं यह कहना चाहता हू कि देश में खाद्य तेलों के दाम बहुत ज्यादा बढ़ रहे हैं । अभी जन्माष्टमी के अवसर पर लोगों की लम्बी लाइनें लगी हुई थीं । मैं यह कहना चाहता हूं कि इन भावों को कंट्रोल में रखने के लिए इम्पोर्ट कर के देश में जनता को खाने का तेल उपलब्ध कराया जाए । जैसे गुजरात में मूंगफली का तेल खाते हैं, कुछ राज्यों में सरसों का तेल उपयोग किया जाता है, कुछ राज्यों में पामोलीन आयल का इस्तेमाल किया जाता है तो मैं माननीय मन्त्री जी से यह जानना चाहता हूं के सब को अपनी आवश्यकता अनुसार खाने का तेल उपलब्ध हो क्या इस बात का आश्वासन मन्त्री जी देंगे ?

SHRI P. R. DAS MUNSHI: I can only convey to the honourable Member that so far as our responsibility is concerned, it is to bring and distribute. So far as controlling prices and bringing stabilization is concerned, it is the responsibility of the Civil Supplies Departments of the respective States. I can only say that we are taking all steps to see that profiteers, black-marketeers and others do not exploit the situation in the name of drought and all measures concerning this will be taken.

*303. [*The questioner (Shrimati Renuka Chowdhury) was absent. For answer, vide cols.* 31 *infra*]

*304. [*Transferred to the 24th August*, 1987.]

**Status of persons who migrated from Pakistani Territories to J and K State**

305. SHRI KAILASH PATI MISHRA:†
SHRI ATAL BIHARI VAJPAYEE:

Will the Minister of HOME AFFAIRS be pleased to state:

(a) what is the number of persons who migrated to the territory of India in Jammu and Kashmir State from the territories now included in Pakistan and since when they have been living in Jammu and Kashmir; and

(b) whether such persons and their children have normal rights of a citi-

†The question was actually asked on the floor of the House by Shri Kailash Pati Mishra.

zen, i.e. voting and possessing property; if not, what steps have been taken to remove this serious deprivation and the outcome thereof?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI CHINTAMANI PANIGRAHI): (a) According to the information received from the State of Jammu and Kashmir, 2768 families belonging to different areas now included in West Pakistan migrated at the time of the partition of the country and temporarily settled in different tehsils of Jammu region of the State.

(b) These persons have not yet been granted the permanent residents certificate of the State of Jammu and Kashmir and the consequential benefits available to the permanent residents, except the right to vote for Parliamentary election.

Some persons migrated from West Pakistan and settled in Jammu and Kashmir had also filed a writ petition in 1982 in the Supreme Court seeking equal rights at par with permanent residents of the State.

The directives of the Supreme Court contained in their judgment dated 20th February, 1987 was referred to the State Government in March, 1987.

The Government of Jammu and Kashmir in their reply of July, 1987 informed that as the matter involves amendments to various existing laws it is being considered at the highest level.

The State Government have recently informed that these persons have filed another writ petition in the High Court of Jammu and Kashmir and the matter is *sub judice*.

**श्री कैलाशपति मिश्र** : उपसभापति महोदया, सन् 1947 और 87 में 40 वर्ष का अन्तर हो गया है। सरकार ने उत्तर में पाकिस्तान के कब्जे में पड़ी हुई भूमि में से जो भागकर आये उनका 1947 का आंकड़ा दिया है। 40 वर्ष के भीतर का एक इसमें आंकड़ा नहीं है। मैं जरा सरकार से पूछना चाहता हूं कि क्या सरकार इतनी आश्वस्त है कि 40 वर्षों के अन्दर जम्मू और काश्मीर में एक भी शरणार्थी नहीं आया, क भी अपदस्थ होकर वहां से नहीं आया।

SHRI CHINTAMANI PANIGRAHI: Madam, the question was very specific. The question was: What is the number of persons who migrated to the territory of India in Jammu and Kashmir State from the territories now included in Pakistan and since when they have been living in Jammu and Kashmir? It is after partition. It is very relevant. Those who have come after partition, we have given the figures. If they would like to know whether any further migrants have come from West Pakistan after 1947, Madam, we have to collect the figures.

**श्री कैलाश पति मिश्र** : महोदया, एक तो मेरे प्रश्न का उत्तर टाल दिया गया, दिया नहीं गया। इसमें कहीं प्रश्न के अंदर नहीं है कि भारत विभाजन में कितने आये, अद्यतन आंकड़े दिये जाने चाहिए थे। महोदया, 1982 में इस प्रकार के पीड़ित समुदाय सुप्रीम कोर्ट में गये। 1987 की फरवरी में सुप्रीम कोर्ट ने निर्णय दिया। सरकार ने यह नहीं बताया कि सुप्रीम कोर्ट ने कौन सा निर्णय लिया और 87 की जुलाई में पूरे 5 महीने के बाद केवल भारत सरकार को जम्मू काश्मीर से इतना उत्तर आ रहा है कि उच्च स्तरीय लेविल पर विचार हो रहा है। ऐसा लगता है कि जो उजड़ कर आये हैं जिनको अभी नागरिकता का अधिकार प्राप्त नहीं हुआ है वे राज्य विधान सभा के मतदाता अभी तक नहीं बन सके हैं मकान नहीं खरीद सकते हैं, जमीन नहीं खरीद सकते हैं।

**उपसभापति** : सवाल पूछिए।

**श्री कैलाशपति मिश्र** : सवाल ही हो रहा है उस पर केन्द्र सरकार का लगता है कि कोई निर्णय नहीं है। मैं जानबूझकर मंत्री महोदय से पूछना चाहता हूं कि ऐसे नागरिकों को एक स्वाभिमानी स्वतंत्र नागरिक देश का बनाने के लिए कौन से कदम उठा रहा है और ये कब तक लागू होंगे ?

SHRI CHINTAMANI PANIGRAHI: Madam, as the hon. Member has referred to the observation of the Supreme Court, it is better to read it out so that they also know it. I am reading out the directive part of the Judgment of the Supreme Court. I quote: "All that we can say is that the position of the petitioner and those like him is anomalous and it is up to the Legislature of the State of Jammu and Kashmir to take action to amend legislations such as the J. & K. Representation of the People's Act, the Land Alienation Act, the Village Panchayat Act, and all these local Acts." Therefore, it is just a kind of suggestion to the State Government that they have made. We are pursuing it. When this judgment was given, we pursued, we wrote to the State Government that this is the observation of the Supreme Court and you kindly see that this observation is followed by the State Government. That we did immediately after the judgment.

SHRI ATAL BIHARI VAJPAYEE: Madam, how can we have two categories of citizenship in our country—one consisting of those who can vote for the Assembly as well as for the Parliament, and the other category consisting of those unfortunate people who have come from Pakistan for no fault of theirs and they are not allowed to vote for the Assembly? Is this not a matter which should agitate the mind of the Government? I know that the Jammu and Kashmir Government has been dragging its feet on this. But now there is a coalition Government. So, the Centre can pressurize the Government of Jammu and Kashmir to bring about a change in this sorry state of affairs immediately.

SHRI CHINTAMANI PANIGRAHI: I hope hon. Member Vajpayeeji knows this problem very well. In Jammu and Kashmir, it is a historical fact. It has a special status and it has a special Article—Article 6 of the Constitution of Jammu and Kashmir. So far as Government of India is concerned, we have given them the citizenship of India. They are Indian citizens. But so far as Jammu and Kashmir citizenship is concerned, they have a special status. That also I can read out, how they say it. I hope you know it. But I can read it out. Every person who is or is deemed to be a citizen of India under the provisions of the Constitution of India shall be a permanent resident of the State if on the 14th day of May, 1954 (a) he was a State subject of Class I or Class II, (b) having lawfully acquired immovable property in the State, he has been ordinarily resident in the State for the last ten years prior to that date. Therefore, there is a special provision in the Jammu and Kashmir Constitution and we are persuading the Jammu and Kashmir Government to do the needful.

SHRI ATAL BIHARI VAJPAYEE: Are we to understand that the Central Government is completely helpless in this matter?

SHRI CHINTAMANI PANIGRAHI: In the Supreme Court judgment which I have just now read out, the Supreme Court has also observed and they have said that because of the special status of the Jammu and Kashmir Assembly, they have requested the State Assembly that this anamolous position should be removed. And we are trying to pursue them and see that the Jammu and Kashmir Assembly follows what the Supreme Court has asked them to do. We are doing our best. We are not helpless.

**श्री राम चन्द्र विकल**: मैं जानना चाहता हूं कि अदालत में कितने लोग गये हैं और क्या ऐसे लोग भी हैं जो अदालत नहीं जा सकें, जिनका शुमार कहीं जन-संख्या में या कहीं दर्ज नहीं हैं । ऐसी संख्या क्या है, जो अदालत में गये हैं और जो अदालत में नहीं जा सकें हैं, वह कितने हैं ?

**श्री चिन्तामणि पाणिग्रही** : कितने अदालत में गये हैं, कितने अदालत में नहीं गये हैं, यह आंकड़े तो... **(व्यवधान)**

**श्री रामचन्द्र विकल**: जब आपने उनकी तादाद भी बताई, यह भी बताया कि कोर्ट में कुछ गये हैं, तो मैं जानना चाहता हूं कि अलग-अलग उनकी संख्या क्या है ? क्या ऐसे भी हैं, जो कहीं भी दर्ज नहीं हैं।

**श्री चिन्तामणि पाणिग्रही**: हमने समूचे बता दिया है कि 2, 768 फैमिलीज हैं।

SHRI DHARAM CHANDER PRASHANT: Madam Deputy Chairman, after partition in 1947, 30,000 people crossed the border and entered the State. Their number was 30,000. I do not know what their number today is because in the official records of the State Government they are described as Pakistanis, citizens of Pakistan. One day they crossed border and went to Pakistan and they were ing to be shot dead but they came back This is a great injustice. Not only the National Conference but the Congress Government also ruled in the State for ten years but they too did not do justice of these unfortunate, unlucky people who are not citizens of the State. They cannot join service or acquire property or do anything. What is their fault? I asked a question on this matter in the last session. I was told that the judgement of the Supreme Court has not come. Still I am waiting and I have not received the reply.

SHRI CHINTAMANI PANIGRAHI: But I have read out to you just now the judgement of the Supreme Court.

SHRI DHARAM CHANDER PRASHANT: I have not received the reply.

**श्री जगदम्बी प्रसाद यादव** : आप अपना जजमेंट जो बताइये, सुप्रीम कोर्ट के जजमेंट का क्या. आप चालीस वर्ष से इसे कर रहे हैं।

SHRI CHINTAMANI PANIGRAHI: Do you mean to say that we will override the judgement of the Supreme Court, Because of the special status that the Jammu and Kashmir State enjoys the Supreme Court made the above observations. We are pursuing it with the State Government. We are making sincere efforts. Let us see how these disabilities of the citizens of India will be removed. We are trying our best.

**श्री जगदम्बी प्रसाद यादव** : मैं मंत्री जी से जानना चाहता हूं कि आज तक पाकिस्तान से कितने हिंदू आए कश्मीर में और कश्मीर से बाहर और कितने मुसलमान आए कश्मीर में और कश्मीर से बाहर ?

क्या यह सत्य है कि जो मुसलमान आए, उनको कश्मीर में परिवार में मिल कर के नागरिकता मिल गई और यह जो जिसकी बात चल रही है, हिंदू होने के कारण उनको न वहां नागरिकता मिल रही है और न भारत सरकार नागरिकता दिलाने के लिए प्रयास कर रही है ?

SHRI CHINTAMANI PANIGRAHI: About the break-up, I hope, hon. Vajpayeeji must be knowing it. We take the totality of the problem i.e. the problem of 2768 families who have not been granted the permanent residents certificate.

**श्री जगदम्बी प्रसाद यादव** : उप सभापति महोदया, मेरा व्यवस्था का सवाल है। जब सवाल हिन्दू का हुआ तो मिनिस्टर भी मजाक के तौर पर हंसते हैं। जो वहां आबादी है वह सारी की सारी आबादी हिन्दू की है और उसको कश्मीर का होने के कारण भी, कश्मीर का नहीं होता तब भी बात थी, लेकिन कश्मीर का होने के कारण पार्टीशन होने के कारण जो हिन्दू यहां आये जो मुसलमान वहां गए दो नागरिकता पाई लेकिन श्रीनगर जम्मू-कश्मीर का होते हुए भी नागरिकता नहीं पा रहा है और उस पर सवाल उठाता है तो मंत्री महोदय भी हंसते हैं। अगर भारत के लोगों पर दुख आने पर यह सरकार हंसने वाली है तो यह सरकार उसको कभी भी नागरिकता या कोई भी व्यवस्था नहीं देने वाली है ?

SHRI CHINTAMANI PANIGRAHI: It is no question of humour. I meant that in such cases we take into consideration that totality of the problem.

THE DEPUTY CHAIRMAN: Next question.